**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**

**WRIT PETITION NO. 1666 OF 2007**

Chandraprakash Nanalal Jain.... Petitioner

versus

Yogaji Piraji Dhabe ..... Respondent.

Shri J.M.D'silva for the petitioner
Ms. Bharti Patil for respondent

**CORAM; A.P. DESHPANDE, J.**
**DATED; 16TH MARCH, 2007**

**P.C.;**

1. The writ petition has been filed by the employer challenging the interlocatory order passed by the Labour court. Said order has been confirmed by dismissal of the revision filed by the present petitioner before the Industrial Court. On being pimafacie satisfied about the claim made by the respondent, the Labour Court directed reinstatement of the complainant or to pay 90% of the wages i.e. Rs.3600/- per month.

2. The learned counsel for the petitioner shows his willingness to comply with the later part of the order passed by the Labour Court directing the petitioner to deposit 90% of wages, but he requested that the amount should not be permitted to be withdrawn by the

respondent. The learned counsel for the respondent in all fairness submits that, let the petititioner to deposit 90% of the wages as directed by the Labour Court in the Labour Court and the respondent will not withdraw the same till the final decision of the complaint. In view of this concession given by both the leaned counsel, I modify the order passed by the Labour Court by directing the petitioner to deposit 90% of the wages i.e. Rs.3600/- per month in the Labour Court from the date of the filing of the complaint till final disposal of the complaint and the amount shall not be withdrawn by the complainant.

3. On the joint prayer made by the learned counsel, I direct the Labour Court to decide the main complaint as expeditiously as possible and preferably within four months from today. Writ petition is accordingly disposed of.

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